IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 40 OF 2006
IN
SUMMONS FOR JUDGMENT NO. 26 OF 2005
IN
SUMMARY SUIT NO. 3257 OF 2004

Inductotherm (India) Pvt. Ltd.] .. Appellant (Ori. Pltff.)

Versus

Isibars Ltd.] .. Respondent (Ori.Defdt.)

Mr. M.S. Bhandari i/b Ms. K.V. Prabhu for the appellants.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 03RD FEBRUARY, 2006

P.C. :

. Heard Mr. Bhandari, the learned counsel for the appellants.

2. There appears to be serious dispute about the supply of the furnace and its installation by the plaintiffs in accordance with the terms and conditions of the contract. In view thereof, if the learned trial Judge found that triable issues have been raised by the defendant in opposition to the Summons for Judgment, the

said finding cannot be faulted.

3. Appeal does not deserve to be admitted. Dismissed in limine.

4. Liberty to the plaintiffs to apply to the trial Judge for expeditious hearing of the suit.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOOP V. MOHTA, J.]

[srpasha@hc]